



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
www.appleton.org

## Meeting Minutes Common Council

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Wednesday, August 20, 2014

7:00 PM

Council Chambers

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A. CALL TO ORDER

*The meeting was called to order at 7:02 PM.*

B. INVOCATION

*Invocation given by Alderperson Vered Meltzer.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 14 - Alderperson Patti Coenen, Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Sarah Garb, Alderperson Jeffrey Jirschele, Alderperson Kyle Lobner, Alderperson Joe Martin, Alderperson Kathleen Plank, Alderperson Cathy Spears, Alderperson Peter Stueck, Mayor Timothy Hanna, Alderperson Tim Trauger, Alderperson Polly Dalton and Alderperson Vered Meltzer

**Excused:** 2 - Alderperson Curt Konetzke and Alderperson Christine Williams

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*PRESENT: City Clerk Collins, Legal Assistant Jamie Sova, City Attorney Walsh, Community and Economic Development Director Harkness, Finance Director Saucerman, Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Parks, Recreation and Facilities Gazza, Police Deputy Chief Olm, Director of Public Works Vandehey, Director of Information Technology Fox, Director of Utilities Shaw, Library Director Rortvedt, Communications Coordinator Doran.*

*EXCUSED: Director of Human Resources Behnke, Valley Transit General Manager Wetter.*

## F. PUBLIC PARTICIPATION

*Name - Address - Topic*

*Jason Prouse - 2608 Wheatfield Ct - Taxicab License*

*Sara Companik - 889 Kernan - Library*

*Ed Thomas - 1701 E Bluebird Ln - Wheel Tax*

*Mary Hopfensperger - 824 S Westhaven Pl - Wheel Tax*

*Michael Smith - 407 Outagamie St - Wheel Tax*

*Dean Juliar - 1032 S Clara St - Wheel Tax*

*Mark Fluette - 1421 N Richmond St - Secondhand License*

*Paul Fluette - 426 Frances Way - Secondhand License*

*At 7:20 pm, Alderperson Lobner moved, seconded by Alderperson Croatt, to extend time. Voice Vote. Motion Carried.*

*Greg Gauthier - 1928 W College Ave - Taxicab License*

*Rod Schroeder - 803 W Franklin - Wheel Tax*

*Bill Recker - 1317 N Durkee St - Wheel Tax*

*Lee Snodgrass - 122 N Rankin St - Wheel Tax*

*John Peterson - 126 Alton Ct - Library*

*At 7:36 pm, Alderperson Lobner moved, seconded by Alderperson Croatt, to extend time. Voice Vote. Motion Carried.*

*Terry Wollin - 119 Peppercorn - Wheel Tax*

*Kathi Seifert - 3091 Fox Run - Library*

*Jane Marichal - 1901 E John - Wheel Tax*

*Jessica Anderson - 515 E McKinley St - Wheel Tax*

*Brian Garrow - 806 W Winnebago St - Wheel Tax*

*Jennifer Edmondson - 1709 N Racine - Library*

## G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

**14-1437** Approve August 6, 2014 Council Meeting Minutes.

**Attachments:** [CC Minutes 08-06-2014 REVISED.pdf](#)

**Alderperson Croatt moved, seconded by Alderperson Martin, that the Minutes be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton and Alderperson Meltzer

**Excused:** 2 - Alderperson Konetzke and Alderperson Williams

**Abstained:** 1 - Mayor Hanna

## H. BUSINESS PRESENTED BY THE MAYOR

- 14-1434** Reappointment of Earl Christensen, William Christensen and Charles Fisher to the Board of Heating Examiners.

**Attachments:** [COMMITTEE REAPPOINTMENT BD OF HEATING EXAMINERS 082014.pdf](#)

**Alderson Spears moved, seconded by Alderson Croatt, that the re-appointment be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Garb, Alderson Jirschele, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Spears, Alderson Stueck, Alderson Trauger, Alderson Dalton and Alderson Meltzer

**Excused:** 2 - Alderson Konetzke and Alderson Williams

**Abstained:** 1 - Mayor Hanna

- 14-1433** Presentation of Merit Award for Houdini Plaza from the American Association of Landscape Architects for Design of Constructed Urban Spaces.

*Mayor Hanna introduced Rich Hitchcock for recognition of Houdini Plaza.*

## I. PUBLIC HEARINGS

- 14-1435** Public Hearing for Rezoning #6-14 located at 903 N Union and 414 E Winnebago.

**Attachments:** [CC 08-20-2014 - Public Hearing - RZ #6-14.pdf](#)

*Marissa Downs with Commonwealth Development spoke in support of the rezoning.*

## J. SPECIAL RESOLUTIONS

- 14-1442** A Resolution authorizing and providing for the sale and issuance of \$6,525,000 General Obligation Promissory Notes, Series 2014, and all related details.

**Attachments:** [Award Resolution - Appleton 2014 G.O. Prom Notes.docx](#)

**Alderson Lobner moved, seconded by Alderson Stueck, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Garb, Alderson Jirschele, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Spears, Alderson Stueck, Alderson Trauger, Alderson Dalton and Alderson Meltzer

**Excused:** 2 - Alderperson Konetzke and Alderperson Williams

**Abstained:** 1 - Mayor Hanna

**14-1443** A Resolution authorizing and providing for the sale and issuance of \$3,575,000 Storm Water System Revenue Bonds, Series 2014, and all related details.

**Attachments:** [Award Resolution - Appleton 2014 Storm Water System Revenue Bonds.docx](#)

*Amend amount to \$3,450.00.*

**Alderperson Lobner moved, seconded by Alderperson Dannecker, that the Report Action Item be approved as amended. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton and Alderperson Meltzer

**Excused:** 2 - Alderperson Konetzke and Alderperson Williams

**Abstained:** 1 - Mayor Hanna

**14-1444** A Resolution authorizing and providing for the sale and issuance of \$4,000,000 Water System Revenue Bonds, Series 2014, and all related details.

**Attachments:** [Award Resolution - Appleton 2014 Water System Revenue Bonds.docx](#)

*Amend amount to \$3,850,000.*

**Alderperson Lobner moved, seconded by Alderperson Coenen, that the Report Action Item be approved as amended. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton and Alderperson Meltzer

**Excused:** 2 - Alderperson Konetzke and Alderperson Williams

**Abstained:** 1 - Mayor Hanna

**K. ESTABLISH ORDER OF THE DAY**

14-1192

Resolution introduced by Alderperson Martin at the July 3, 2014 Common Council meeting relating to wheel tax.

#22-R-14 - Martin

**“WHEREAS**, Wisconsin law allows a city to collect an annual municipal or county vehicle registration fee (wheel tax) in addition to the regular annual registration fee paid for a vehicle

**WHEREAS**, All vehicles with automobile registration or truck registration at 8,000 lbs. or less (except dual purpose farm registration) kept in the municipality are subject to the wheel tax

**WHEREAS**, The Wisconsin Department of Transportation collects wheel taxes for the municipality, keeps an administrative fee of 10 cents per vehicle application and sends the rest to the municipality

**WHEREAS**, Special assessments for public roads can cost thousands of dollars and assessed back to the property owner, causing some of our elderly, young families, and single parent with children financial hardships that are unbearable

**NOW THEREFORE BE IT RESOLVED**, The City of Appleton implement a wheel tax starting in 2015 to assist with existing road construction replacement. Planned for 2015, the wheel tax would not be more than twenty dollars.”

**Attachments:**     [Appleton Vehicle Counts.docx](#)  
                                  [Wheel Tax FAQ 2014.docx](#)

*Alderperson Plank referred back.*

*Alderperson Coenen moved, seconded by Alderperson Garb, to go into Committee of the Whole to discuss Item 14-1192, requiring a suspension of the rules (9 votes). Roll Call. Ayes - Coenen, Garb, Martin, Stueck, Trauger, Dalton, Meltzer. Noes - Croatt, Dannecker, Jirschele, Lobner, Plank, Spears. Motion fails 6-7.*

**This Report Action Item was referred to the Finance Committee**

14-1317

Taxicab Driver's License application of Gregory A. Gauthier, 1928 W. College Avenue.

**Alderperson Dannecker moved that the Report Action Item be denied. Roll Call. Motion carried by the following vote:**

**Aye:** 10 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Lobner, Alderperson Martin, Alderperson Spears, Alderperson Stueck and Alderperson Trauger

**Nay:** 3 - Alderperson Plank, Alderperson Dalton and Alderperson Meltzer

**Excused:** 2 - Alderperson Konetzke and Alderperson Williams

**Abstained:** 1 - Mayor Hanna

**14-1342**

Taxicab Driver's License application of Jason L. Prouse, 2608 Wheatfield Court.

**Alderperson Lobner moved, seconded by Alderperson Martin, that the Report Action Item be denied. Roll Call. Motion carried by the following vote:**

**Aye:** 10 - Alderperson Coenen, Alderperson Jirschele, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton and Alderperson Meltzer

**Nay:** 3 - Alderperson Croatt, Alderperson Dannecker and Alderperson Garb

**Excused:** 2 - Alderperson Konetzke and Alderperson Williams

**Abstained:** 1 - Mayor Hanna

**14-1205**

Secondhand Article Dealer License application of Active Bike & Fitness LLC, Mark A. Fluette, Person in Charge, 1421 N. Richmond Street, contingent upon approvals from all departments.

**Alderperson Plank moved, seconded by Alderperson Lobner, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton and Alderperson Meltzer

**Excused:** 2 - Alderperson Konetzke and Alderperson Williams

**Abstained:** 1 - Mayor Hanna

- 14-1296** PD Rezoning Application #6-14 - Marissa Downs (Union Square Apartments) - Rezone 903 North Union Street and 414 East Winnebago Street from R-3 Multifamily District to PD/R-3 Planned Development Multifamily District.

**Attachments:** [#6-14 Staff Report 7-21-14.pdf](#)

**Alderson Croatt moved, seconded by Alderson Lobner, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Garb, Alderson Jirschele, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Spears, Alderson Stueck, Alderson Trauger, Alderson Dalton and Alderson Meltzer

**Excused:** 2 - Alderson Konetzke and Alderson Williams

**Abstained:** 1 - Mayor Hanna

- 14-1300** Request to approve Resolution of Necessity for Michiels Investment LLC, and Trinity Lutheran Church.

**Attachments:** [Finance - Library - Resolutions of Necessity 07-21-14 \(email\).pdf](#)  
[Library - Michiels - Resolution of Necessity.pdf](#)  
[Library - Trinity Lutheran - Resolution of Necessity.pdf](#)

*Alderson Martin called the question.*

*Under Other Business, Alderson Lobner moved, seconded by Alderson Plank, to reconsider this item. An aye vote will bring it back to the floor for discussion, a nay vote will not. Roll call vote. Ayes - Dannecker, Martin. Noes - Coenen, Croatt, Garb, Jirschele, Lobner, Plank, Spears, Trauger, Dalton, Meltzer. Abstain: Stueck. Motion fails.*

**Alderson Lobner moved, seconded by Alderson Martin, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 10 - Alderson Coenen, Alderson Croatt, Alderson Garb, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Stueck, Alderson Trauger, Alderson Dalton and Alderson Meltzer

**Nay:** 3 - Alderson Dannecker, Alderson Jirschele and Alderson Spears

**Excused:** 2 - Alderson Konetzke and Alderson Williams

**Abstained:** 1 - Mayor Hanna

- 14-1320** Operator's License application of Jonathan A. Perry, N1472 Wildwood Drive, Greenville.

**Alderson Martin moved, seconded by Alderson Trauger, that the Report Action Item be denied. Roll Call. Motion carried by the following vote:**

**Aye:** 11 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Lobner, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger and Alderperson Meltzer

**Nay:** 2 - Alderperson Martin and Alderperson Dalton

**Excused:** 2 - Alderperson Konetzke and Alderperson Williams

**Abstained:** 1 - Mayor Hanna

- 14-1438** Consolidated Action - Unit K-14 Native Landscape
  - a. Utilities Committee - 14-1323
  - b. Finance Committee - 14-1421

**Alderperson Croatt moved, seconded by Alderperson Dannecker, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton and Alderperson Meltzer

**Excused:** 2 - Alderperson Konetzke and Alderperson Williams

**Abstained:** 2 - Alderperson Jirschele and Mayor Hanna

**L. COMMITTEE REPORTS**

**Balance of the action items on the agenda.**

**Alderperson Martin moved, Alderperson Trauger seconded, to approve the report. The motion carried by the following vote:**

**Aye:** 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton and Alderperson Meltzer

**Excused:** 2 - Alderperson Konetzke and Alderperson Williams

**Abstained:** 1 - Mayor Hanna

**1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

- 14-1318** Operator's Licenses

**Attachments:** [Operator's Licenses for 8-14-14 S & L.pdf](#)

**This Report Action Item was approved.**



**14-1319** Operator License Renewals

**Attachments:** [Renewal Operator's Licenses for 8-14-14 S & L.doc](#)

**This Report Action Item was approved.**

**14-1344** Operator's License application of Jessica E. Olson, N3929 Washington Avenue, #8, Freedom.

**This Report Action Item was approved.**

**14-1345** Operator's License application of Utsab Parjuli, 3045 Winnipeg Street, Menasha.

**This Report Action Item was approved.**

**14-1341** Taxicab Driver's License application of Elyse R. Moeller, 1213 N. Richmond Street.

**This Report Action Item was approved.**

**14-1422** Taxicab Driver's License application of Chad D. LeCapitaine, 1620 S. Madison Street.

**This Report Action Item was approved.**

**14-1389** Taxicab Company and Limousine Service application of Chads, Chad LeCapitaine, 1620 S. Madison Street, contingent upon approvals from all departments.

**This Report Action Item was approved.**

**14-1328** Class "B" Beer and Class "C" Wine License application of MK2 Investments LLC, d/b/a Pinot's Palette, Mari P. Kessenich, Agent, 226 E. College Avenue, contingent upon approvals from all departments.

**This Report Action Item was approved.**

**14-1314** Change of Premise Description - "Class B" Beer/Liquor License of Jim's Place, Jay J. Plamann, Agent, 223 E. College Avenue to include 30' of back of bar outside area up to the parking lot, contingent upon approvals from all departments.

**This Report Action Item was approved.**

**14-1390** Amending Municipal Ordinance Sec. 2-1 regarding Records Retention

**Attachments:** [08-14-2014 - Attorney Memo.pdf](#)

This Report Action Item was approved.

**2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

**3. MINUTES OF THE CITY PLAN COMMISSION**

**4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**

**5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

**6. MINUTES OF THE UTILITIES COMMITTEE**

**14-1322** Recommendation to contract with Lappen Security and Faith Technologies in the amount of \$73,828 with a 10% contingency of \$7,383 for a total of \$81,211 in CIP funding to run new Cat 6 cabling in both the Waste Treatment and Water Treatment Plants along with installing new security cameras in each location. The cameras consist of 8 cameras for the Water Treatment Plant with cabling and 6 at the Waste Treatment Plant rated for those types of environments.

**Attachments:** [Utilities Camera Security System \(2\).docx](#)

This Report Action Item was approved.

**14-1323** CRITICAL TIMING Amend Unit K-14 Native Landscape Management Contract with Applied Ecological Services, Inc. by an amount not to exceed \$81,998.92.

**Attachments:** [Stormwater Budget Adjustment.pdf](#)

This Report Action Item was approved.

**14-1420** Award purchase of Ferrous Chemical Dosing System to Brabazon Pump, Compressor, & Vacuum in the amount of \$35,154 plus a 5% contingency of \$1,758 for a total not to exceed of \$36,912.

**Attachments:** [Ferrous Chemical Dosing System.doc](#)

This Report Action Item was approved.

- 14-1431** Award 2014 Digester Upgrades Contract to McMahon in the amount of \$58,769 with a 15% contingency of \$8,815 for a project total not to exceed \$67,584.

**Attachments:** [2015 Digester Improvements Project Engineering 08-14-14.doc](#)

This Report Action Item was approved.

- 14-1440** Approval of a construction contract in the amount of \$730,922 plus a 15% contingency of \$109,638 for a total of \$840,560 to August Winter & Sons Construction Company for the Bar Screen Replacement Project.

**Attachments:** [Bar Screen Replacement Project.docx](#)

This Report Action Item was approved.

**7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

**8. MINUTES OF THE BOARD OF HEALTH**

**9. MINUTES OF THE HUMAN RESOURCES COMMITTEE**

- 14-1397** Request to approve Performance Management Policy

**Attachments:** [PERFORMANCE MANAGEMENT 8-11-14.pdf](#)

This Report Action Item was approved.

**10. MINUTES OF THE FINANCE COMMITTEE**

- 14-1333** Request to approve updated Debt Policy.

**Attachments:** [Debt Policy Memo for Finance.pdf](#)

[Debt Policy Rev 8-14.pdf](#)

This Report Action Item was approved.

- 14-1421** Request to approve an amendment to Unit K-14 Native Landscape Management Contract with Applied Ecological Services, Inc. by an amount not to exceed \$81,999 and approve the following 2014 budget adjustment:

Stormwater Fund

Contractor Fees \$81,999

Contributed Capital \$81,999

To recognize funds from the developer and related expense needed to increase the native vegetation contract for six ponds that will be turned over to the City.

**Attachments:** [Stormwater budget adjustment 8-13-14.pdf](#)

**This Report Action Item was approved.**

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

- 14-1436** Ordinances # 56-14 through 59-14.

**Attachments:** [Ordinances going to 08-20-2014 Council.docx](#)

**This Report Action Item was approved.**

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER BUSINESS

T. ADJOURN

*Meeting was adjourned at 8:48 PM.*

**Aldersperson Stueck moved, seconded by Aldersperson Coenen, that the meeting be adjourned. Voice Vote. Motion Carried.**

Dawn A. Collins, City Clerk